

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Thomas E. Donaldson et al.	Art Unit :	2161
Serial No. :	09/749,798	Examiner :	Cindy Nguyen
Filed :	December 28, 2000	Confirmation No.:	6269
Title :	FILTERING SEARCH RESULTS		

**Mail Stop Amendment**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO ACTION OF JANUARY 3, 2006

In reply to the Office action of January 3, 2006, applicant asks that all claims be allowed in view of the following remarks. Claims 9-15 and 19-26 are pending of which claims 9, 14, 19 and 26 are independent. Claims 1-8 and 16-18 were cancelled in a previous response.

**Double Patenting Rejection**

Claims 9-15 and 19-26 have been provisionally rejected as obvious over claims 44-83 of applicant's co-pending Application No. 09/749,629. Without conceding obviousness, applicant respectfully requests that this provisional rejection be held in abeyance until the claims of both this application and those in Application No. 09/749,269 are otherwise held to be allowable.

**Rejections under 35 U.S.C. § 103(a)**

Claims 9-12, 19, 22-24 and 26

Claims 9-12, 19, 22-24 and 26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Navin-Chandra (U.S. Patent No. 6,275,820 B1) in view of Yagasaki (U.S. Patent No. 6,125,353). Applicant requests reconsideration and withdrawal of the rejection because none of Navin-Chandra, Yagasaki or any proper combination of the references describe or suggest the subject matter of the independent claims. For example, none of Navin-Chandra, Yagasaki or any proper combination of the references describe or suggest receiving searchable and retrievable content to be stored within more than one distinct electronic information store, detecting a number of accesses of the searchable and retrievable content, comparing the number

of detected accesses to a threshold number, and, if the threshold number is met, scanning the searchable and retrievable content in response to the searchable and retrievable content being accessed the threshold number of times.

Independent claim 9 recites a method of storing searchable and retrievable content into more than one distinct electronic information store. The method includes receiving searchable and retrievable content to be stored within more than one distinct electronic information store, detecting a number of accesses of the searchable and retrievable content and comparing the number of detected accesses to a threshold number. If the threshold number is met, the method includes scanning the searchable and retrievable content in response to the searchable and retrievable content being accessed the threshold number of times. The method also includes classifying the received searchable and retrievable content among a first type of searchable and retrievable content and a second type of searchable and retrievable content and storing the received searchable and retrievable content based on the classifying among the first type and the second type such that different types of received searchable and retrievable content are stored among a collection of more than one distinct electronic information stores.

Navin-Chandra describes a metasearch engine that re-ranks and re-summarizes documents returned (with a ranking and a summary) from individual search engines in response to a query. See Navin-Chandra at abstract. More particularly, Navin-Chandra describes a metasearch engine that receives a user query and provides the query to more than one individual search engine for resolution. See Navin-Chandra at col. 5, lines 50-55. Each individual search engine interrogates information resources that are associated with, and accessible by, the individual search engine to return results (e.g., a brief summary, excerpt or other data snippet) to the metasearch engine. See Navin-Chandra at col. 5, lines 55-65. The original documents corresponding to some of the results returned from the individual search engines are then downloaded by the metasearch engine. See Navin-Chandra at col. 7, lines 20-30. The metasearch engine determines a new ranking and a new summary for each of the downloaded documents, which may differ from the rank and summary provided by the individual search engines. See Navin-Chandra at col. 7, line 30-51 and col. 8, lines 5-18. In addition, Navin-

Chandra also describes individual search engines (i.e., non-metasearch engines) that index contents of large numbers of web pages, either by full text or a summary of the page, and allow users to search the indices through the search engine. See Navin-Chandra at col. 2, lines 40-50.

As such, Navin-Chandra describes receiving content (e.g., search results) from a variety of sources (e.g., individual search engines) and combining and processing the information to provide the information in one place and in a coherent manner (e.g., as re-ranked and re-summarized search results). Thus, the metasearch engine does not receive content that is to be stored within more than one distinct electronic information store. Rather, the search results received by the metasearch engine are already stored in the information resources accessible by the individual search engines. Furthermore, the search results received by the metasearch engine in Navin-Chandra are not themselves searchable and retrievable content. Rather, the search results are snippets of individual documents that have already been found in response to a search of the information resources and have already been retrieved from the information resources. Further still, Navin-Chandra does not describe storing the search results in an electronic information store, let alone storing the search results within more than one distinct electronic information store. In fact, before the metasearch engine can process the search results, Navin-Chandra must download the original documents corresponding to the search results from the information resources associated with the individual search engines. Thus, Navin-Chandra does not describe or suggest receiving searchable and retrievable content to be stored within more than one distinct electronic information store, as recited in independent claim 9.

In addition to the search results received by the metasearch engine not being searchable and retrievable content, Navin-Chandra does not describe detecting a number of accesses of the search results. The ranking of the search results, both by the individual search engines and the re-ranking performed by the metasearch engine, provides a measure of relevance of the content of a particular search result to the query relative to the relevance of other search results to the query. See Navin-Chandra at col. 3, lines 1-7. As such, the ranking of the search results is not at all related to detecting a number of accesses of the search results. In fact, no where does Navin-Chandra describe detecting a number of times a particular search result is accessed. Therefore,

in addition to the search results not being searchable and retrievable content, Navin-Chandra does not describe or suggest detecting a number of accesses of the searchable and retrievable content, as recited in independent claim 9. As such, Navin-Chandra necessarily cannot describe or suggest comparing the number of detected accesses to a threshold number, and, if the threshold number is met, scanning the searchable and retrievable content in response to the searchable and retrievable content being accessed the threshold number of times, as also recited in independent claim 9.

Yagasaki describes a mall server that controls a product search screen at a terminal so that a seasonable category of products may be listed only during a limited time frame. See Yagasaki at col. 2, lines 5-8. As such, Yagasaki does not remedy the failure of Navin-Chandra to describe the subject matter of independent claim 9. Nor does the Office action contend that Yagasaki does so.

Accordingly, none of Navin-Chandra, Yagasaki or any proper combination of the references describe or suggest receiving searchable and retrievable content to be stored within more than one distinct electronic information store, detecting a number of accesses of the searchable and retrievable content, comparing the number of detected accesses to a threshold number, and, if the threshold number is met, scanning the searchable and retrievable content in response to the searchable and retrievable content being accessed the threshold number of times, as recited in independent claim 9. For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of independent claim 9, along with claims 10-12 which depend therefrom.

Independent claim 19 recites a computer program comprising instructions for storing searchable and retrievable content into more than one distinct electronic information store in a manner corresponding to that of independent claim 1, and independent claim 26 recites a system comprising means for doing the same. Accordingly, for the reasons noted above with respect to independent claim 1, applicant requests reconsideration and withdrawal of the rejection of independent claims 19 and 26 along with claims 22-24 and 26 that depend therefrom.

Claims 13, 20, 21 and 25

Claims 13, 20, 21 and 25, which depend from independent claims 9 and 19, respectively, have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Navin-Chandra in view of Yagasaki and Russell-Falla (U.S. Patent No. 6,266,664 B1). As discussed above with respect to independent claims 9 and 19, Navin-Chandra and Yagasaki, either alone or in combination, fail to describe or teach the features in the independent claims. Russell-Falla describes controlling access to potentially offensive or harmful web pages. See Russell-Falla at col. 2, line 63 to col. 3, line 30. Russell-Falla, however, does not remedy the failure of Navin-Chandra, Yagasaki or any proper combination of the references to describe or suggest the subject matter of the independent claims. Nor does the Office Action contend Russell-Falla does so. For at least this reason, and based on the dependency from independent claims 9 and 19, applicant requests withdrawal of the rejection of claims 13, 20, 21 and 25.

Claims 14-15

Claims 14-15 also have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Navin-Chandra in view of Yagasaki and Russell-Falla.

Independent claim 14 recites a system for storing searchable and retrievable content among more than one distinct electronic information store. The system includes a first electronic information store and a second electronic information store. The first electronic information store has at least a first type of searchable and retrievable content that includes searchable and retrievable content based on classifying the content as non-offensive. The second electronic information store has at least a second type of searchable and retrievable content that includes searchable and retrievable content based on classifying the content as offensive. The first electronic information store is at least logically distinct from the second electronic information store to enable controls over access to the searchable and retrievable content included within the first electronic information store and the second electronic information store. The first electronic information store and the second electronic information store are populated by searchable and

retrievable content that has been automatically scanned when a detected number of accesses of the searchable and retrievable content has met a threshold number of accesses.

As described above, none of Navin-Chandra, Yagasaki or any proper combination of the references describe or suggest scanning searchable and retrievable content when a detected number of accesses of the searchable and retrievable content has met a threshold number of accesses, as recited in independent claim 14. Russell-Falla does not remedy the failure of Navin-Chandra, Yagasaki or any proper combination of the references to describe this feature.

As described in applicant's previous arguments, see Response to Office action of February 23, 2004 at pages 13-14, Russell-Falla describes controlling access to potentially offensive or harmful web pages. See Russell-Falla at col. 2, lines 63-65. When a user requests a web page, the content of the web page is examined and analyzed prior to being displayed to the user. See Russell-Falla at col. 2, line 65 to col. 3, line 1. The content of the web page is compared against a database of words or expressions that are weighted based on the degree of offensiveness of the word or expression. See Russell-Falla at col. 3, lines 1-5. After comparing the web page content to the database of weighted words and expressions, a rating is assigned to the user-requested web page. See Russell-Falla at col. 3, lines 5-9. The rating of the web page is compared to a predetermined threshold rating. See Russell-Falla at col. 3, lines 10-15. If the web page rating exceeds the threshold rating, the requested page is not displayed to the user and if the web page rating is below the threshold rating, the web page is displayed to the user. See Russell-Falla at col. 3, lines 15-19.

As such, Russell-Falla does not describe or suggest scanning searchable and retrievable content when a detected number of accesses of the searchable and retrievable content has met a threshold number of accesses. In fact, Russell-Falla has nothing to do with detecting a number of accesses of content. Rather, Russell-Falla describes assigning a rating to a requested web page. Russell-Falla does not disclose the need or act of paying attention to how many times a particular web page is accessed because the content of every requested web page is analyzed and assigned a rating. Furthermore, since Russell-Falla does not describe detecting a number of

accesses, Russell-Falla cannot, and does not, describe or suggest scanning content when a detected number of accesses of the content has met a threshold number of accesses.

Accordingly, none of Navin-Chandra, Yagasaki, Russell-Falla or any proper combination of the references describe or suggest scanning searchable and retrievable content when a detected number of accesses of the searchable and retrievable content has met a threshold number of accesses, as recited in independent claim 14.

Additionally, applicant notes that the Office action fails to address some of the recited features of independent claim 14. For example, although the Office action asserts that "all the limitations of this [independent claim 14] have been noted in the rejection of claims 9 and 19, 26 and 12, 13 above," applicant respectfully disagrees that the first electronic information store being at least logically distinct from the second electronic information store to enable controls over access to the searchable and retrievable content included within the first electronic information store and the second electronic information store, as recited in independent claim 14, was addressed by the Office action in the rejection of claims 9, 12, 13, 19 or 26.

For at least these reasons, applicant requests reconsideration and withdrawal of the rejection of independent claim 14, along with claim 15 that depends therefrom.

## **Conclusion**

Applicant believes that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


Applicant : Thomas E. Donaldson et al.  
Serial No. : 09/749,798  
Filed : December 28, 2000  
Page : 8 of 8

Attorney's Docket No.: 06975-146001 / Search 02

The fee in the amount of \$120 for one month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 5/3/2006

  
\_\_\_\_\_  
W. Karl Renner  
Reg. No. 41,265

Fish & Richardson P.C.  
1425 K Street, N.W.  
11th Floor  
Washington, DC 20005-3500  
Telephone: (202) 783-5070  
Facsimile: (202) 783-2331